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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 CARY KATZ,

8 Plaintiff,

9 v.

10 MARK STEYN, *et al.*,

11 Defendants.

Case No. 2:18-cv-00997-JAD-GWF

ORDER

12 This matter is before the Court on Plaintiff's Proposed Protective Order (ECF No. 146),
13 filed on July 22, 2019. Defendants filed their Objection (ECF No. 147) on July 23, 2019.

14 On July 15, 2019, the Court granted, in part, and denied, in part, Plaintiff's motion for
15 protective order. *See* ECF No. 143. The Court directed Plaintiff to file a revised proposed
16 protective order that complied with the Court's provisions. Defendants object to the proposed
17 protective order on the basis that it is labeled "stipulated" and because it does not comply with the
18 Court's order.

19 The Court has reviewed the proposed order and instructs Plaintiff to make the following
20 revisions to Paragraph 6.2:

21 6.2 Meet and Confer. The Challenging Party shall initiate the dispute resolution
22 process by providing written notice of each designation it is challenging. ~~and~~
23 ~~describing the basis for each challenge.~~ To avoid ambiguity as to whether a
24 challenge has been made, the written notice must recite that the challenge to
25 confidentiality is being made in accordance with ~~this specific paragraph of~~ the
26 Protective Order. The parties shall attempt to resolve each challenge in good faith
27 and must begin the process by conferring directly (in voice to voice dialogue audio
28 recorded by both parties; other forms of communication are not sufficient) within
14 days of the date of service of notice. ~~In conferring,~~ The Challenging Party must
explain the basis for its belief that the confidentiality designation was not proper
and must give the Designating Party an opportunity to review the designated
material, to reconsider the circumstances, and, if no change in designation is
offered, to explain the basis for the chosen designation. ~~A Challenging Party may
proceed to the next stage of the challenge process only if it has engaged in this meet~~


1 ~~and confer process first or establishes in writing that the Designating Party is~~
2 ~~unwilling to participate in the meet and confer process in a timely manner.~~

3 In addition, Plaintiff is instructed to revise the proposed protective order by
4 removing the term “stipulated” or “stipulation” in reference to the protective order.

5 Accordingly,

6 **IT IS HEREBY ORDERED** that Plaintiff shall file a revised proposed protective
7 order no later than **July 29, 2019**.

8 Dated this 24th day of July, 2019.

9 
10 GEORGE FOLEY, JR.
11 UNITED STATES MAGISTRATE JUDGE
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